

IN THE MATTER OF

\*

BEFORE THE MARYLAND

PAULINE JOAN IRUNGU

\*

BOARD OF NURSING

LICENSE NO.: LP52564

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**DEFAULT FINAL DECISION AND ORDER AFFIRMING  
SUMMARY SUSPENSION OF LICENSED PRACTICAL NURSE LICENSE**

- And -

**DEFAULT FINAL DECISION AND ORDER OF  
PERMANENT REVOCATION OF LICENSED PRACTICAL NURSE LICENSE**

On March 29, 2022, the Maryland Board of Nursing (the “Board”) issued an Order for Summary Suspension of Licensed Practical Nurse License Pursuant to Section 10-226(c)(2) of the Administrative Procedure Act (“Summary Suspension”)<sup>1</sup> to **PAULINE JOAN IRUNGU**, licensed practical nurse (“LPN”), license number **LP52564** (the “Respondent”). The Order of Summary Suspension ordered that the Respondent’s LPN license be summarily suspended based on the Board’s determination that the public health, safety, or welfare imperatively required emergency action under Md. Code Ann., State Gov’t § 10-226(c)(2) (2021 Repl. Vol.), and notified the Respondent that a Show Cause hearing was scheduled for April 27, 2022 before the Board to give the Respondent an opportunity to show cause as to why her license should not be suspended.

Also on March 29, 2022, the Board issued an Notice of Agency Action – Charges Under the Maryland Nurse Practice Act (the “Charges”)<sup>2</sup> to the Respondent, which notified her that the

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<sup>1</sup> The Order for Summary Suspension consisted of eight pages and was accompanied by a two-page cover letter. These documents are appended to this Order as Exhibit A and are incorporated by reference

<sup>2</sup> The Charges consisted of a three-page letter and a seven-page document entitled, “Charges Under the Maryland Nurse Practice Act.” The Charges are appended to this Order as Exhibit B and the document is incorporated by reference in its entirety.

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Board was charging her with violations of the Maryland Nurse Practice Act (the “Act”), Md. Code Ann. Health Occ. §§ 8-101 *et seq.* (2021 Repl. Vol.), specifically § 8-316(a)(1) (20), (25) [predicated on Code of Maryland Regulations (“COMAR”) 10.27.19.02B(1)], and § 8-316(a)(30) [predicated on COMAR 10.27.01.05B(1)(b)]. The Charges also notified the Respondent that she had thirty (30) days from the date of the Charges to request an evidentiary hearing regarding the Charges. The Charges notified the Respondent that, if she failed to submit a written request for a hearing regarding the Charges to the Board within thirty (30) days, then the Respondent would waive the opportunity for an evidentiary hearing on the Charges and the Board, pursuant to the authority of § 8-316(a) and (b) of the Health Occupations Article, §§ 10-210(4) and 10-221 of the State Government Article of the Maryland Annotated Code, and COMAR 10.27.02.09, would issue a public final decision and order by default, in which: (1) the allegations of fact in the Charges become findings of fact; (2) the disciplinary grounds that the Charges alleged to have been violated would become conclusions of law; and (3) a disciplinary sanction and/or monetary penalty would be imposed.

On April 27, 2022, the Board held the scheduled show cause hearing, and a quorum of the Board was present. The Respondent failed to appear at the Show Cause hearing before the Board. On April 27, 2022, the Board issued an Order Continuing Summary Suspension of Licensed Practical Nurse License (“Order Continuing Summary Suspension”),<sup>3</sup> which notified the Respondent that she had thirty (30) days from the date of the Order Continuing Summary

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<sup>3</sup> The Order Continuing Summary Suspension consisted of two pages and was accompanied by a two-page cover letter. These documents are appended to this Order as Exhibit C and are incorporated by reference.

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Suspension to request a hearing on the merits of the summary suspension. The Order Continuing Summary Suspension also notified the Respondent that, if she failed to submit a written request for a hearing on the merits of the summary suspension to the Board within thirty (30) days, then the Respondent would waive the opportunity for an evidentiary hearing regarding the merits of the summary suspension and the Board, pursuant to the authority of §§ 10-210(4) and 10-221 of the State Government Article of the Maryland Annotated Code, would issue a public final decision and order by default, in which: (1) investigative findings and reasons in support of the summary suspension in the Order for Summary Suspension would become findings of fact; and (2) the summary suspension of the Respondent's LPN license would be affirmed and continued until further Order of the Board.

The Board sent the Charges, the Summary Suspension, and the Order Continuing Summary Suspension by regular and certified mail to the Respondent's last known address. The Board finds that the Charges, the Summary Suspension, and the Order Continuing Summary Suspension were properly issued and that due and proper notice was given to the Respondent in accordance with § 8-317(c) of the Health Occupations Article and §§ 10-207 and 10-209(a) and (c) of the State Government Article of the Maryland Annotated Code.

The Respondent failed to submit a request for an evidentiary hearing regarding the merits of the Summary Suspension within thirty (30) days from the date of the Summary Suspension. The Respondent also failed to submit a request for an evidentiary hearing regarding the Charges within thirty (30) days of the date of the Charges. Thus, the Board finds that the Respondent has waived the right to an evidentiary hearing on both the merits of the Summary Suspension and the Charges and that the Board is authorized to issue this final decision and order by default pursuant

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to the authority of § 8-317(e) and § 8-6A-10.1(e) of the Health Occupations Article and § 10-210(4) of the State Government Article of the Maryland Annotated Code.

### **FINDINGS OF FACT**

The Board adopts the investigative findings and reasons in support of summary suspension numbered 1-14 on pages 2-7 of the attached Summary Suspension as Findings of Fact.

The Board also adopts allegations of fact numbers 1-13 on pages 3-7 of the attached Charges as Findings of Fact.

### **CONCLUSIONS OF LAW**

Accordingly, the Board concludes that the public health, safety, and welfare imperatively required the emergency action of summarily suspending the Respondent's license to practice licensed practical nursing on March 29, 2022 under § 10-226(c)(2) of the State Government Article.

The Board further concludes that the Respondent has violated § 8-316(a) of the Health Occupations Article:

§ 8-316(a):

- (1) Fraudulently or deceptively obtains or attempts to obtain a license for the applicant or for another;
- (20) Fails to cooperate with a lawful investigation conducted by the Board;
- (25) Engages in conduct that violates the professional code of ethics; *to wit*,

COMAR 10.27.19.02

(B) A nurse may not, when acting in the capacity or identity of a licensed nurse:

- (1) Knowingly participate in or condone

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dishonesty, fraud, deceit, or  
misrepresentation;

- (30) Violates regulations adopted by the Board or an order from the Board; *to wit,*

COMAR 10.27.01.05

- (B) An applicant for the licensed practical nurse licensure examination shall:

- (1) Meet all requirements for a high school diploma or its equivalent and complete satisfactorily and meet all requirements for a diploma from:

- (b) A licensed practical nursing education program in any other state, territory, or country determined by the Board to be substantially equivalent<sup>4</sup> to the licensed practical nursing education programs approved

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<sup>4</sup> COMAR 10.27.01.01 C. provides: "Substantially equivalent" means a registered nursing or licensed practical nursing education program that:

Contains theoretical learning experiences and related clinical learning experiences that include direct patient care within various settings consistent with program objectives, outcomes, or competencies conducted either concurrently with or after the theoretical learning experience; and Meets the curriculum requirement for Maryland schools of nursing at the time of the applicant's graduation, including, but not limited to:

- (a) The appropriate level of the graduate's intended scope of practice;
- (b) Didactic and clinical learning experiences that are diverse and consistent with program objectives, outcomes, or competencies;
- (c) Didactic and clinical instruction in nursing care of families and clients throughout the life span in a variety of care settings requiring nursing measures appropriate for:
- (i) The maintenance or restoration of mental and physical health;
- (ii) Preventive, rehabilitative, and curative aspects of health care;
- (iii) Biophysical, psychosocial, cultural, and spiritual components of health and illness; and
- (iv) Professional issues content; and
- (d) Didactic and clinical instructional content that includes, but is not limited to, the areas of:
- (i) Medical and surgical nursing;
- (ii) Maternal and child health;
- (iii) Psychiatric nursing; and
- (iv) Geriatric nursing;

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in this State at the time of the  
applicant's graduation;

The Board concludes that these violations of the Act fall within category L(2) of the Board's sanctioning guidelines. *See* COMAR 10.27.26.07L(2). The range of potential sanctions under category L(2) includes reprimand to revocation, and/or monetary penalty of \$1,000 to \$5,000. *Id.*

### **ORDER**

Based on the foregoing Findings of Fact and Conclusions of Law, it is hereby:

**ORDERED** that the summary suspension of the Respondent's license to practice as a licensed practical nurse in the State of Maryland, as ordered by the Board's March 29, 2022 Order for Summary Suspension, is **AFFIRMED**; and it is further

**ORDERED** that the summary suspension of the Respondent's license to practice as a licensed practical nurse in the State of Maryland, as ordered by the Board's March 29, 2022 Order for Summary Suspension, is hereby **LIFTED AND TERMINATED**, and it is further

**ORDERED** that the license of the Respondent to practice as a licensed practical nurse in the State of Maryland, License Number LP52564, is hereby **PERMANENTLY REVOKED** beginning on the effective date of this Order; and it is further

**ORDERED** that the Respondent may apply for initial licensure as a licensed practical nurse after a minimum of one (1) year from the effective date of this Order has passed, provided that the Respondent produces evidence of completion of a licensed practical nursing education program that is either approved by the Board or that the Board finds to be substantially equivalent pursuant to section 8-302(c)(2)(ii) of the Health Occupations Article, Maryland Annotated Code,

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as well as meeting all other minimum qualifications to be issued an initial license to practice licensed practical nursing in the State of Maryland; and it is further

**ORDERED** that pursuant to the Nurse Licensure Compact, the multistate status of the Respondent's revoked LPN license shall be **deactivated**. Accordingly, the Respondent shall not have a multistate licensure privilege to practice as an LPN in any party state to the Nurse Licensure Compact unless and until the Board, in its discretion, grants a new LPN license to the Respondent and the Respondent is not otherwise disqualified from holding a multistate license at that time; and it is further

**ORDERED** that this Default Final Decision and Order is a **PUBLIC RECORD** under Md. Code Ann., Gen. Prov. §§ 4-101 *et seq.* (2019 Repl. Vol.).

11/14/2022  
Date

Karen E. B. Evans MSN, RN-BC  
The Executive Director's Signature  
Appears on the Original Document

**IRUNGU, Pauline Joan (LP52564)  
Default Final Decision and Order Affirming the Summary Suspension of Licensed Practical Nurse License and Default Final Decision and Order of Permanent Revocation of Licensed Practical Nurse License**

**NOTICE OF APPEAL RIGHTS**

Any person aggrieved by a final decision of the Board under § 8-316(a) of the Health Occupations Article may take a direct judicial appeal within thirty (30) days of the date this Order is mailed, as provided by § 8-318(b) of the Health Occupations Article, § 10-222 of the State Government Article, and Title 7, Chapter 200 of the Maryland Rules, including Md. Rule 7-203 ("Time for Filing Action").

**NOV 16 2022**

DATE MAILED: \_\_\_\_\_



# Board of Nursing

Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Dennis R. Schrader, Secretary

March 29, 2022

**VIA REGULAR AND CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

The Respondent's Address Appears  
On the Original Document

**RE: ORDER FOR SUMMARY SUSPENSION OF LICENSED PRACTICAL  
NURSE LICENSE (License Number LP52564) PURSUANT TO SECTION 10-  
226(c)(2) OF THE ADMINISTRATIVE PROCEDURE ACT**

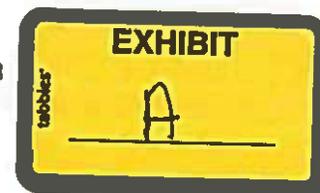
Dear Ms. Irunga:

Enclosed is an executed "Order for Summary Suspension of Licensed Practical Nurse License Pursuant to Section 10-226(c)(2) of the Administrative Procedure Act" issued by the Maryland Board of Nursing ("the Board"), pursuant to the authority of the Maryland Administrative Procedure Act, Md. Code Ann., State Government ("State Gov't.") § 10-226(c) (2014 Repl. Vol. & 2021 Supp.). The enclosed Order suspends, effective immediately, your license to practice as a licensed practical nurse in the State of Maryland.

The Board has scheduled a Show Cause Hearing in person before the Board on **WEDNESDAY, APRIL 27, 2022 AT 1:00 PM** at **4140 Patterson Avenue, Baltimore, Maryland 21215** on the summary suspension of your license. The Show Cause Hearing is an opportunity to present oral argument as to why the Board should not continue the summary suspension of your license. This opportunity to address the Board at the Show Cause Hearing is not an evidentiary hearing, therefore, the Board will not accept any documentary evidence nor will witnesses be allowed to testify. You will present argument to the Board first. After your presentation, the State will be provided the opportunity to respond. Both you and the State will be given 10 minutes each for oral argument. After the Show Cause Hearing, the Board will make a decision as to whether to continue the suspension of your license and you will be notified of the Board's decision in writing.

If you would like to request a postponement of the Show Cause hearing, please submit a written request for a postponement no later than Friday, April 22, 2022 by email or fax to:

4140 Patterson Avenue - Baltimore, Maryland 21215-2254  
Toll Free: 1 (888) 202 - 9861 • Phone: (410) 585 - 1900 • TTY/TDD: 1 (800) 735 - 2258  
Fax: (410) 358 - 3530  
[www.mbon.maryland.gov](http://www.mbon.maryland.gov)



**ORDER FOR SUMMARY SUSPENSION OF LPN LICENSE**  
**Pauline Irungu, LP52564**

**Attn: Amber Havens Bernal**  
**Enforcement Division - Discipline Program**  
**Maryland Board of Nursing**  
**4140 Patterson Avenue**  
**Baltimore, Maryland 21215**  
**Fax: (410) 358-1499**  
**[mbon.nursingdiscipline@maryland.gov](mailto:mbon.nursingdiscipline@maryland.gov)**

Please be advised that if your request for a postponement is granted, your license will remain suspended until you have the opportunity to be heard at a Show Cause hearing and the Board issues its written decision following the Show Cause Hearing. You are not required to appear at the Show Cause Hearing however, if you or your attorney do not attend the Show Cause Hearing, the Board will proceed in your absence, make a decision regarding whether to continue the summary suspension of your license, and will notify you in writing of its decision. The Board's written notification of its decision will also include instructions regarding your right to request a full evidentiary hearing before the Board on the merits of the summary suspension of your license.

Because your license to practice as a licensed practical nurse in the State of Maryland is at issue and could be affected, you are strongly urged to retain and be represented by an attorney at all stages of this proceeding. If you choose to retain counsel, please be advised that, in order to appear on your behalf, your attorney must be admitted to the Bar in Maryland or specifically admitted pursuant to Maryland Rule 19-214 which governs special admission of out-of-state attorneys *pro hac vice*.

If you or your attorney have any questions about this letter or the enclosed Order, please contact the Administrative Prosecutor assigned to your case, Tracy Bull, AAG, at (410) 767-8993 or [tracy.bull@maryland.gov](mailto:tracy.bull@maryland.gov), or Amber Havens Bernal, Enforcement Division, at [mbon.nursingdiscipline@maryland.gov](mailto:mbon.nursingdiscipline@maryland.gov).

Karen E. B. Evans MSN, RN-BC  
The Executive Director's Signature  
Appears on the Original Document

Enclosure: Order for Summary Suspension of LPN License Pursuant to Section 10-226(c)(2) of the Administrative Procedure Act

cc: Tracy Bull, Assistant Attorney General, Administrative Prosecutor

IN THE MATTER OF

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BEFORE THE MARYLAND

PAULINE IRUNGU

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BOARD OF NURSING

LICENSE NO.: LP52564

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OAG CASE NO. 22 - BP – 005

\* \* \* \* \*

**ORDER FOR SUMMARY SUSPENSION OF LICENSED PRACTICAL NURSE  
LICENSE PURSUANT TO SECTION 10-226(c)(2) OF THE ADMINISTRATIVE  
PROCEDURE ACT**

The Maryland Board of Nursing (the “Board”) hereby orders the **SUMMARY SUSPENSION** of the license of **PAULINE IRUNGU** (the “Respondent”), License Number **LP52564** to practice licensed practical nursing in the State of Maryland. The Board takes this action pursuant to the authority of Maryland Code Ann., State Government Article (“SG”) § 10-226(c)(2) (2021 Repl. Vol.), which provides:

- (2) A unit may order summarily the suspension of a license if the unit:
  - (i) finds that the public, health, safety, or welfare imperatively requires emergency action; and
  - (ii) promptly give the licensee:
    - 1. Written notice of the suspension, the finding and the reasons that support the finding; and
    - 2. An opportunity to be heard.

The Board has reason, as set forth below, to find that the public health, safety, or welfare imperatively requires emergency action (“SG”) § 10-226(c) (2).

**ORDER FOR SUMMARY SUSPENSION PURSUANT TO § 10-226(c)(2) OF THE  
STATE GOVERNMENT ARTICLE  
[PAULINE IRUNGU, LP52564]**

**INVESTIGATIVE FINDINGS AND REASONS IN SUPPORT  
OF SUMMARY SUSPENSION**

Based on investigatory information obtained by, received by and made known to and available to the Board, the Board has reason to believe that the following facts are true:<sup>1</sup>

1. On or about July 7, 2009, the Respondent was issued a certificate to practice as a certified nursing assistant (“CNA”) in the State of Maryland, certificate number A00099755. On or about August 3, 2009, the Board issued the Respondent a CNA certificate with geriatric nursing assistant (“GNA”) designation. The Respondent’s GNA designation expired on July 28, 2012. The Respondent’s CNA certificate is currently “non-renewed” and expired on July 28, 2016.

2. On or about February 19, 2011, the Respondent was issued a certificate to practice as a medication technician (“MT”) in the State of Maryland, certificate number MT0067167. The Respondent’s MT certificate is currently “non-renewed” and expired on July 28, 2011.

3. On or about November 16, 2015, the Respondent was issued a license to practice as a licensed practical nurse (“LPN”) in the State of Maryland, license number LP52564. The Respondent’s LPN license is currently active and is scheduled to expire on July 28, 2023. The Compact<sup>2</sup> status of the Respondent’s Maryland LPN license is “Multistate.”

**INITIAL APPLICATION FOR LPN BY EXAM**

4. The Respondent submitted to the Board a Maryland Application for Exam of LPN License (“LPN Application”) dated February 8, 2013.<sup>3</sup>

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<sup>1</sup>The allegations set forth in this document are intended to provide the Respondent with notice of the Board’s action. They are not intended as, and do not necessarily represent a complete description of the evidence, either documentary or testimonial, to be offered against the Respondent in connection with this action.

<sup>2</sup>The Nurse Licensure Compact (NLC) is an agreement between Boards of Nursing of party states that allows nurses to have one Multistate nursing license with the ability to practice nursing in both their home state and other party states. In accordance with the Nurse Licensure Compact, Md. Code Ann., Health Occ. § 8-7A-01.3(h) and § 8-7A-01.3(m) respectively, “Home state” means the party state that is the nurse’s primary state of residence and, “Party state” means any state that has adopted this Compact.

<sup>3</sup>The LPN Application was a paper application and not completed online.

**ORDER FOR SUMMARY SUSPENSION PURSUANT TO § 10-226(c)(2) OF THE  
STATE GOVERNMENT ARTICLE  
[PAULINE IRUNGU, LP52564]**

5. On the LPN Application, the Respondent indicated that she graduated from her Basic Education Program in 2013 and that the degree she received was a “diploma.”

6. The School of Nursing Certification section of the LPN Application was completed and signed by the Director of the Nursing Program (“Program Director”) of a practical nursing education school (the “LPN School”) on February 8, 2013, certifying that:

...Pauline Irungu received from the [LPN School] located in Woodbridge, VA a diploma dated 02/08/2013 which certified that he/she completed in full a 15 months [*sic*] year program in nursing that began on 09/19/2011 and ended on 02/08/2013. It is further certified that the program was approved by the Virginia Board of Nursing at the time the applicant graduated, and that the applicant demonstrated an oral competence in the ENGLISH language and that his/her academic and professional standing during his/her program was satisfactory to the officers of this school.

7. The LPN Application was signed and dated on February 8, 2013 by the Respondent affirming the following:

I hereby make application for examination and registration in Maryland according to the Nurse Practice Act and the regulations of the Maryland Board of Nursing.

I affirm that the contents of this document are true and correct to the best of my knowledge and belief.

**LPN School**

8. On or about July 21, 2010, the Virginia Board of Nursing (“Virginia Board”) entered into a Consent Order (“July 21, 2010 Consent Order”) with the LPN School and its Program Director placing the School on Conditional Provisional Approval for not less than one (1) year subject to certain terms and conditions.<sup>4</sup>

9. On May 15, 2012, the Virginia Board approved a Consent Order (“May 15, 2012 Consent

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<sup>4</sup> Under the Findings of Fact in the July 21, 2010 Consent Order, the LPN School admitted that they had submitted final transcripts to the Virginia Board for six (6) students indicating that the six (6) students had completed all clinical courses prior to graduation, when they had not. The students had not completed clinical experiences in obstetrics, pediatrics, and mental health prior to graduation.

**ORDER FOR SUMMARY SUSPENSION PURSUANT TO § 10-226(c)(2) OF THE  
STATE GOVERNMENT ARTICLE  
[PAULINE IRUNGU, LP52564]**

Order”),<sup>5</sup> signed by the Program Director. The May 15, 2012 Consent Order ordered that:

- a. The [LPN School’s] approval to operate a practical nursing education program in Virginia is WITHDRAWN. The [LPN School] shall cease operations no later than June 30, 2013, when all students shall either have graduated or transferred to an approved program.
- b. The [LPN School] shall not admit any new or transfer students.

**LPN SCHOOL TRANSCRIPT**

10. On August 25, 2021, the Board issued a Subpoena Duces Tecum (“Subpoena”) to the Respondent commanding her to produce and provide to the Board copies of transcripts from all schools attended for any LPN program, transcripts from all schools attended for any RN program, clinical rotations documentation from all schools attended for any LPN program, clinical rotations documentation from all schools attended for any RN program, and proof of school attendance.

11. The Board received an Official Transcript (“Transcript”) signed by the Program Director<sup>6</sup> and dated February 8, 2013 which listed the school as the LPN School and provided the following information:

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<sup>5</sup> Under the Findings of Fact in the May 15, 2012 Consent Order, the Virginia Board found that there were numerous deficiencies of the School’s operations related to organizational plan, student files, curriculum, clinical experience, the licensure and competence of faculty members, and the LPN School’s pass rate.

<sup>6</sup> On or about July 8, 2021, in the U.S. District Court of Maryland, Director was indicted on charges of Conspiracy to Commit Health Care Fraud; Conspiracy to Commit False Statements Relating to Health Care Matters and False Statements Relating to Health Care Matters. According to the Criminal Complaint, Director conspired with two other individuals and submitted false statements relating to health care matters by working together to sell fraudulent transcripts and diplomas that indicate that various individuals completed necessary courses and clinical hours to obtain nursing degrees and coached these unqualified individuals to pass the nursing board exam.

**ORDER FOR SUMMARY SUSPENSION PURSUANT TO § 10-226(c)(2) OF THE  
STATE GOVERNMENT ARTICLE  
[PAULINE IRUNGU, LP52564]**

<u>FIRST QUARTER</u> From: 09/19/2011 To: 11/18/2011		<u>THIRD QUARTER</u> From: 04/02/2012 To 07/20/2012	
<u>Course Description</u>	<u>Contact Hours</u>	<u>Course Description</u>	<u>Contact Hours</u>
Basic Computer	30	Med/Surg I	120
Medical Terminology	60	Med/Surg II	120
Anatomy and Physiology	180	Med/Surg Clinical	200
Total Contact Hours Required	270	Med/Surg Lab	40
		Geriatrics Theory	30
		Geriatrics Clinical	40
		Total Contact Hours Required	550
<u>SECOND QUARTER</u> From: 11/21/2011 To: 03/30/2012		<u>FOURTH QUARTER</u> From: 07/23/2012 To: 02/08/2013	
<u>Course Description</u>	<u>Contact Hours</u>	<u>Course Description</u>	<u>Contact Hours</u>
Diet and Nutrition	60	Pediatric Nursing	90
Pharmacology	120	Pediatric Nursing Clinical	40
Nursing Fundamentals	210	Maternity Nursing	90
Nursing Fundamentals Lab	60	Maternity Clinical	40
Nursing Fundamentals Clinical	40	Mental Health Nursing	30
Total Contact Hours	490	Mental Health Clinical	40
		Professional Development & NCLEX Review	60
		Total Contact Hours Required	390

**Summary of Clinical Agencies/Facilities and dates for each experience**

Clinical Courses	Clinical Agency	Clinical Start Date	Clinical End Date	Total Hours
Nursing Fundamentals	Facility 1	03/26/12	03/30/12	40
Medical-Surgical Nursing	Facility 2 Facility 3	06/04/12	07/06/12	200
Geriatric Nursing	Facility 1	07/16/12	07/20/12	40
Maternity Nursing	Facility 4	08/20/12	08/24/12	40
Pediatric Nursing	Facility 4	09/24/12	09/28/12	40
Mental Health Nursing	Facility 5	10/15/12	10/19/12	40

**ORDER FOR SUMMARY SUSPENSION PURSUANT TO § 10-226(c)(2) OF THE  
STATE GOVERNMENT ARTICLE  
[PAULINE IRUNGU, LP52564]**

**THE BOARD'S INVESTIGATION**

12. Board Staff and Board Investigator 1 contacted the five clinical rotation sites cited in the Transcript and learned the following:

- a. On or about August 5, 2021, General Counsel for Facility 1 and Facility 2<sup>7</sup> notified the Board that they did not find any contracts with the LPN School that would have allowed the Respondent to have completed clinical rotations at those sites and stated that the facilities would not have hosted clinicals for surgical nursing.
- b. By letter dated September 8, 2021, the Administrator of Facility 3 notified the Board that they were unable to locate any school agreement with the LPN School for clinical rotations.
- c. On or about August 6, 2021, the Executive Director for Facility 4 notified the Board that Facility 4 does not offer obstetrics, gynecological, or pediatric care at its facility and that Facility 4 was a program for troubled teen parents which provided transitional housing, parenting classes, and food programs. The Executive Director stated that there are no nursing staff at Facility 4 and the facility does not provide any medical services.
- d. The Assistant Executive Director and Executive Director of Facility 5 notified Board Staff on August 5 and August 6, 2021 (respectively) that Facility 5 has never been affiliated with any nursing schools for clinical training and has never had any contracts with any schools for students to do clinical rotations.

**ATTEMPTED CONTACT WITH RESPONDENT**

13. On or about August 25, 2021, the Board issued to the Respondent, at her address of record with the Board, a summons to appear at the Board's offices for an interview with the Board's Investigator. The summons was delivered to the Respondent's address of record on August 28, 2021 at 1:49 p.m. The Respondent failed to appear at the Board or contact the Board in response to the summons.

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<sup>7</sup> Facility 1 and Facility 2 are owned by the same parent company.

**ORDER FOR SUMMARY SUSPENSION PURSUANT TO § 10-226(c)(2) OF THE  
STATE GOVERNMENT ARTICLE  
[PAULINE IRUNGU, LP52564]**

**DISCUSSION**

14. The Respondent submitted a Maryland LPN application with fraudulent information about her LPN School, including fraudulent dates of attendance, and submitted a fraudulent transcript, resulting in the Board issuing an LPN license to the Respondent in November 2015. The Respondent did not meet the Board's statutory and regulatory requirements, didactic and clinical training, for LPN licensure by exam and practiced on the fraudulent LPN license. The Respondent's continued practice poses a serious risk and danger to the public health, safety, and welfare.

**CONCLUSION OF LAW.**

Based on the foregoing investigative findings and reasons, the Board finds that the public health, safety or welfare imperatively requires emergency action in this case pursuant to Md. Code Ann., State Govt. § 10-226(c)(2) (2021 Repl. Vol.).

**ORDER**

It is hereby:

**ORDERED** that pursuant to the authority vested in the Board of Nursing by Maryland Code Ann., State Govt. § 10-226(c)(2) (2021 Repl. Vol.) the license of **PAULINE IRUNGU** to practice as a **LICENSED PRACTICAL NURSE** in the State of Maryland is hereby **SUMMARILY SUSPENDED**; and be it further

**ORDERED** that there will be a Show Cause Hearing on **Wednesday, April 27, 2022 at 1:00 p.m.** before the Board at the Maryland Board of Nursing offices, 4140 Patterson Avenue, Baltimore, Maryland 21215; and be it further

**ORDERED** that if, the suspension of the Respondent's license is continued following a Show Cause Hearing, the Respondent has the right to a full evidentiary hearing before the Board and a hearing will be scheduled before the Board if the Respondent submits a written request for

**ORDER FOR SUMMARY SUSPENSION PURSUANT TO § 10-226(c)(2) OF THE  
STATE GOVERNMENT ARTICLE  
[PAULINE IRUNGU, LP52564]**

an evidentiary hearing to the Board **no later than thirty (30) days from the date of the Board's written decision issued after the Show Cause Hearing**; and be it further

**ORDERED** that if the Respondent does not submit a timely written request to the Board for an evidentiary hearing within 30 days from the date of the Board's written decision issued after the Show Cause Hearing, the Respondent shall have waived all rights now and in the future to any hearing on the merits of the summary suspension of the Respondent's license and the factual allegations contained in this Order for Summary Suspension; and it is further

**ORDERED** that this Order for Summary Suspension shall remain in effect and the summary suspension of the Respondent's license shall continue until further Order of the Board; and it is further

**ORDERED** that this, "Order for Summary Suspension of Licensed Practical Nurse License" is a **PUBLIC RECORD** pursuant to Md. Code Ann., General Provisions § 4-101 *et seq.* & § 4-333 (2019).

March 29, 2022  
Date

Karen E. B. Evans MSN, RN-BC  
The Executive Director's Signature  
Appears on the Original Document



# Board of Nursing

Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Dennis R. Schrader, Secretary

March 29, 2021

**VIA REGULAR AND CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

The Respondent's Address Appears  
On the Original Document

**RE: NOTICE OF AGENCY ACTION-Charges under the Maryland Nurse Practice Act  
Pauline Irungu, LP52564, A00099755, MT0067167**

Dear Ms. Irungu:

The Maryland State Board of Nursing (the "Board") is the state agency responsible for the regulation of the practice of nursing in the State of Maryland pursuant to the authority of the Maryland Nurse Practice Act, Md. Code Ann., Health Occupations ("Health Occ.") § 8-101 *et seq.* (2014 Repl. Vol. & 2021 Supp.). Pursuant to § 8-316(a) and (b) of the Health Occupations Article, the Board may reprimand any licensee, place any licensee on probation, suspend or revoke the license of a licensee, and/or impose a monetary penalty if the Board finds that the licensee has violated any of the disciplinary grounds set forth in Health Occ. § 8-316(a)(1)-(36). Pursuant to § 8-6A-10(a) and (b) of the Health Occupations Article, the Board may reprimand any certificate holder, place any certificate holder on probation, suspend or revoke the certificate of a certificate holder, and/or impose a monetary penalty if the Board finds that the certificate holder has violated any of the disciplinary grounds set forth under Health Occ. § 8-6A-10(a)(1)-(34).

Based on the allegations of fact and violation(s) of the disciplinary ground(s) cited in the enclosed document entitled, "Charges Under the Maryland Nurse Practice Act" (hereinafter "Charges"), the Board is notifying you of its intent to take disciplinary action against your license(s) and certificate(s), which may include reprimand, probation, suspension, revocation, and/or monetary penalty. This letter and the enclosed Charges constitute the notice of agency action that is required by the Maryland Administrative Procedure Act, Md. Code Ann., State Government ("State Gov't") § 10-207.

Under §§ 8-317 and 8-6A-10.1 of the Health Occupations Article, the Board is required to give you an opportunity for an evidentiary hearing before it may take any disciplinary action against your license(s) and certificate(s).



**NOTICE OF AGENCY ACTION: Charges Under the Nurse Practice Act  
Pauline Irungu, LP52564, A00099755, MT0067167**

**TO REQUEST A HEARING:**

**If you wish to schedule a hearing, please submit a written request for hearing to the Board within 30 days of the date of this letter, by mail, fax or email, to:**

**Attn: Amber Havens Bernal  
Enforcement Division – Discipline Dept.  
Maryland Board of Nursing  
4140 Patterson Avenue  
Baltimore, Maryland 21215  
Fax: (410) 358-1499  
Email: [mbon.nursingdiscipline@maryland.gov](mailto:mbon.nursingdiscipline@maryland.gov)**

A Request for Hearing form has been enclosed for your convenience.

If you submit a written request for an evidentiary hearing, the Board will schedule a case resolution conference to provide an opportunity for a resolution of this case without proceeding to a formal evidentiary hearing. Your attendance at the case resolution conference is voluntary, and your decision not to attend the case resolution conference will not have any influence on subsequent proceedings in this case. If you choose not to attend the case resolution conference, the Board will schedule an evidentiary hearing on the merits of the Charges.

The Board will notify you in writing, at your last known address on record with the Board, of the date, time and location of the case resolution conference and evidentiary hearing. A copy of the Board's hearing procedures will be made available to you upon request. The hearing before the Board will be conducted in accordance with the Maryland Administrative Procedure Act, State Gov't § 10-201 *et. seq.*, §§ 8-317 and 8-6A-10.1 of the Health Occupations Article, and regulations promulgated by the Board at Code of Maryland Regulations ("COMAR") Title 10, Subtitle 27, Chapter 02.

Pursuant to §§ 8-317 and 8-6A-10.1 of the Health Occupations Article, and §§ 10-206.1 and 10-208 of the State Government Article, you have the right to be represented by an attorney, to subpoena evidence and witnesses, to present evidence, to cross-examine witnesses called against you, and to present summation and argument. Pursuant to §§ 8-316(a) and (b), 8-6A-10(a) and (b), and 8-317 of the Health Occupations Article, § 10-221 of the State Government Article, and COMAR 10.27.02.09, if, after a hearing, the Board finds that you violated any of the disciplinary ground(s) cited in the Charges, the Board may take disciplinary action against your license by issuing a **public** Final Decision and Order, which will include findings of fact, conclusions of law, and a disciplinary sanction against your license and certificate, which may include reprimand, probation, suspension, revocation and/or a monetary penalty.

Also, pursuant to § 10-208(b)(7) of the State Government Article, you may agree to the evidence and waive your right to appear at the hearing before the Board. However, if you waive your right to appear at the hearing or fail to appear at the hearing for any other reason, please be advised that pursuant to § 8-317(e) of the Health Occupations Article and § 10-210(4) of the State Government Article, the Board may hear and consider the State's evidence, decide the disposition of your case despite your absence, and issue a **public** Final Decision and Order, which will include findings of fact, conclusions of law, and, if necessary, a disciplinary sanction against your license(s) and

**NOTICE OF AGENCY ACTION: Charges Under the Nurse Practice Act  
Pauline Irungu, LP52564, A00099755, MT0067167**

certificate(s), which may include reprimand, probation, suspension, revocation and/or a monetary penalty.

**IF YOU DO NOT REQUEST A HEARING:**

If you do not request a hearing in writing within 30 days of the date of this letter, you will have waived your opportunity for a hearing. Pursuant to the authority of § 8-316(a) and (b) and § 8-6A-10(a) and (b) of the Health Occupations Article, §§10-210(4) and 10-221 of the State Government Article and COMAR 10.27.02.09, the Board may, in its discretion, issue a **public** Final Decision and Order by default, in which: (1) the allegations of fact in the Charges become findings of fact; (2) the section(s) of § 8-316(a) and § 8-6A-10(a) of the Health Occupations Article that the Board has alleged you violated in the Charges become conclusions of law; and (3) a disciplinary sanction is ordered against your license(s) and certificate(s), which may include reprimand, probation, suspension, revocation and/or a monetary penalty.

Any decision made by the Board regarding the Charges could affect your license to practice as a licensed practical nurse and your certificates to practice as a certified nursing assistant and medication technician in the State of Maryland. Any Final Decision and Order issued by the Board will be a **public document** and **cannot be expunged**. Therefore, you are strongly advised to retain and be represented by an attorney in any proceeding before the Board. To appear on your behalf, your attorney must be admitted to the Bar in Maryland or specifically admitted pursuant to Maryland Rule 19-217 which governs special admission of out-of-state attorneys *pro hac vice*.

If you or your attorney have any questions about this letter or the enclosed Charges, or you wish to see any other material in your Board file regarding this case, please contact the Administrative Prosecutor assigned to your case, Tracy Bull, AAG, at (410) 767-8993 or [tracy.bull@maryland.gov](mailto:tracy.bull@maryland.gov).

Karen E. B. Evans MSN, RN-BC  
The Executive Director's Signature  
Appears on the Original Document

Encls.: Charges under the Maryland Nurse Practice Act  
Request for Hearing form

cc: Tracy Bull, Assistant Attorney General Administrative Prosecutor



**PAULINE IRUNGU, LP52564/A00099755/MT0067167 - CHARGES**

- (1) Meet all requirements for a high school diploma or its equivalent and complete satisfactorily and meet all requirements for a diploma from:
  - (b) A licensed practical nursing education program in any other state, territory, or country determined by the Board to be substantially equivalent<sup>(1)</sup> to the licensed practical nursing education programs approved in this State at the time of the applicant's graduation;

And

§ 8-6A-10 (a) *Penalties*. - Subject to the hearing provisions of § 8-317 of this title and § 8-6A-10.1 of this subtitle, the Board may . . . , reprimand any certificate holder, place any certificate holder on probation, or suspend or revoke the certificate of a certificate holder, if the . . . certificate holder:

- (20) Has violated any provision of this title or has aided or knowingly permitted any individual to violate any provision of this title; *to wit*, § 8-316 (a) (1), (20), (25), and/or (30);

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<sup>1</sup> COMAR 10.27.01.01 C. provides: "Substantially equivalent" means a registered nursing or licensed practical nursing education program that:

- (1) Contains theoretical learning experiences and related clinical learning experiences that include direct patient care within various settings consistent with program objectives, outcomes, or competencies conducted either concurrently with or after the theoretical learning experience; and
- (2) Meets the curriculum requirement for Maryland schools of nursing at the time of the applicant's graduation, including, but not limited to:
  - (a) The appropriate level of the graduate's intended scope of practice;
  - (b) Didactic and clinical learning experiences that are diverse and consistent with program objectives, outcomes, or competencies;
  - (c) Didactic and clinical instruction in nursing care of families and clients throughout the life span in a variety of care settings requiring nursing measures appropriate for:
    - (i) The maintenance or restoration of mental and physical health;
    - (ii) Preventive, rehabilitative, and curative aspects of health care;
    - (iii) Biophysical, psychosocial, cultural, and spiritual components of health and illness; and
    - (iv) Professional issues content; and
  - (d) Didactic and clinical instructional content that includes, but is not limited to, the areas of:
    - (i) Medical and surgical nursing;
    - (ii) Maternal and child health;
    - (iii) Psychiatric nursing; and
    - (iv) Geriatric nursing;

**PAULINE IRUNGU, LP52564/A00099755/MT0067167 - CHARGES**

- (26) When holding an expired certificate or a lapsed certificate, commits any act that would be grounds for disciplinary action under this section[.]

**ALLEGATIONS OF FACT<sup>2</sup>**

The Board bases its charges on the following facts that the Board has cause to believe are true:

1. On or about July 7, 2009, the Respondent was issued a certificate to practice as a certified nursing assistant (“CNA”) in the State of Maryland, certificate number A00099755. On or about August 3, 2009, the Board issued the Respondent a CNA certificate with geriatric nursing assistant (“GNA”) designation. The Respondent’s GNA designation expired on July 28, 2012. The Respondent’s CNA certificate is currently “non-renewed” and expired on July 28, 2016.
2. On or about February 19, 2011, the Respondent was issued a certificate to practice as a medication technician (“MT”) in the State of Maryland, certificate number MT0067167. The Respondent’s MT certificate is currently “non-renewed” and expired on July 28, 2011.
3. On or about November 16, 2015, the Respondent was issued a license to practice as a licensed practical nurse (“LPN”) in the State of Maryland, license number LP52564. The Respondent’s LPN license is currently active and is scheduled to expire on July 28, 2023. The Compact<sup>3</sup> status of the Respondent’s Maryland LPN license is “Multistate.”

**INITIAL APPLICATION FOR LPN BY EXAM**

4. The Respondent submitted to the Board a Maryland Application for Exam of LPN License (“LPN Application”) dated February 8, 2013.<sup>4</sup>

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<sup>2</sup> The statements regarding the Respondent’s conduct identified herein are intended to provide the Respondent with reasonable notice of the asserted facts. They are not intended as, and do not necessarily represent, a complete description of the evidence, either documentary or testimonial, to be offered against the Respondent.

<sup>3</sup> The Nurse Licensure Compact (NLC) is an agreement between Boards of Nursing of party states that allows nurses to have one Multistate nursing license with the ability to practice nursing in both their home state and other party states. In accordance with the Nurse Licensure Compact, Md. Code Ann., Health Occ. § 8-7A-01.3(h) and § 8-7A-01.3(m) respectively, “Home state” means the party state that is the nurse’s primary state of residence and, “Party state” means any state that has adopted this Compact.

<sup>4</sup> The LPN Application was a paper application and not completed online.

**PAULINE IRUNGU, LP52564/A00099755/MT0067167 - CHARGES**

5. On the LPN Application, the Respondent indicated that she graduated from her Basic Education Program in 2013 and that the degree she received was a “diploma.”

6. The School of Nursing Certification section of the LPN Application was completed and signed by the Director of the Nursing Program (“Program Director”) of a practical nursing education school (the “LPN School”) on February 8, 2013, certifying that:

...Pauline Irungu received from the [LPN School] located in Woodbridge, VA a diploma dated 02/08/2013 which certified that he/she completed in full a 15 months [*sic*] year program in nursing that began on 09/19/2011 and ended on 02/08/2013. It is further certified that the program was approved by the Virginia Board of Nursing at the time the applicant graduated, and that the applicant demonstrated an oral competence in the ENGLISH language and that his/her academic and professional standing during his/her program was satisfactory to the officers of this school.

7. The LPN Application was signed and dated on February 8, 2013 by the Respondent affirming the following:

I hereby make application for examination and registration in Maryland according to the Nurse Practice Act and the regulations of the Maryland Board of Nursing.

I affirm that the contents of this document are true and correct to the best of my knowledge and belief.

**LPN School**

8. On or about July 21, 2010, the Virginia Board of Nursing (“Virginia Board”) entered into a Consent Order (“July 21, 2010 Consent Order”) with the LPN School and its Program Director placing the School on Conditional Provisional Approval for not less than one (1) year subject to certain terms and conditions.<sup>5</sup>

9. On May 15, 2012, the Virginia Board approved a Consent Order (“May 15, 2012 Consent Order”),<sup>6</sup> signed by the Program Director. The May 15, 2012 Consent Order ordered that:

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<sup>5</sup> Under the Findings of Fact in the July 21, 2010 Consent Order, the LPN School admitted that they had submitted final transcripts to the Virginia Board for six (6) students indicating that the six (6) students had completed all clinical courses prior to graduation, when they had not. The students had not completed clinical experiences in obstetrics, pediatrics, and mental health prior to graduation.

<sup>6</sup> Under the Findings of Fact in the May 15, 2012 Consent Order, the Virginia Board found that there were numerous

**PAULINE IRUNGU, LP52564/A00099755/MT0067167 - CHARGES**

- a. The [LPN School's] approval to operate a practical nursing education program in Virginia is WITHDRAWN. The [LPN School] shall cease operations no later than June 30, 2013, when all students shall either have graduated or transferred to an approved program.
- b. The [LPN School] shall not admit any new or transfer students.

**LPN SCHOOL TRANSCRIPT**

10. On August 25, 2021, the Board issued a Subpoena Duces Tecum ("Subpoena") to the Respondent commanding her to produce and provide to the Board copies of transcripts from all schools attended for any LPN program, transcripts from all schools attended for any RN program, clinical rotations documentation from all schools attended for any LPN program, clinical rotations documentation from all schools attended for any RN program, and proof of school attendance.

11. The Board received an Official Transcript ("Transcript") signed by the Program Director<sup>7</sup> and dated February 8, 2013 which listed the school as the LPN School and provided the following information:

<u>FIRST QUARTER</u> From: 09/19/2011 To: 11/18/2011		<u>THIRD QUARTER</u> From: 04/02/2012 To 07/20/2012	
<u>Course Description</u>	<u>Contact Hours</u>	<u>Course Description</u>	<u>Contact Hours</u>
Basic Computer	30	Med/Surg I	120
Medical Terminology	60	Med/Surg II	120
Anatomy and Physiology	180	Med/Surg Clinical	200
Total Contact Hours Required	270	Med/Surg Lab	40
		Geriatrics Theory	30
		Geriatrics Clinical	40
		Total Contact Hours Required	550

deficiencies of the School's operations related to organizational plan, student files, curriculum, clinical experience, the licensure and competence of faculty members, and the LPN School's pass rate.

<sup>7</sup> On or about July 8, 2021, in the U.S. District Court of Maryland, Director was indicted on charges of Conspiracy to Commit Health Care Fraud; Conspiracy to Commit False Statements Relating to Health Care Matters and False Statements Relating to Health Care Matters. According to the Criminal Complaint, Director conspired with two other individuals and submitted false statements relating to health care matters by working together to sell fraudulent transcripts and diplomas that indicate that various individuals completed necessary courses and clinical hours to obtain nursing degrees and coached these unqualified individuals to pass the nursing board exam.

**PAULINE IRUNGU, LP52564/A00099755/MT0067167 - CHARGES**

<u>SECOND QUARTER</u> From: 11/21/2011 To: 03/30/2012		<u>FOURTH QUARTER</u> From: 07/23/2012 To: 02/08/2013	
<u>Course Description</u>	<u>Contact Hours</u>	<u>Course Description</u>	<u>Contact Hours</u>
Diet and Nutrition	60	Pediatric Nursing	90
Pharmacology	120	Pediatric Nursing Clinical	40
Nursing Fundamentals	210	Maternity Nursing	90
Nursing Fundamentals Lab	60	Maternity Clinical	40
Nursing Fundamentals Clinical	40	Mental Health Nursing	30
Total Contact Hours	490	Mental Health Clinical	40
		Professional Development & NCLEX Review	60
		Total Contact Hours Required	390

**Summary of Clinical Agencies/Facilities and dates for each experience**

<b>Clinical Courses</b>	<b>Clinical Agency</b>	<b>Clinical Start Date</b>	<b>Clinical End Date</b>	<b>Total Hours</b>
Nursing Fundamentals	Facility 1	03/26/12	03/30/12	40
Medical-Surgical Nursing	Facility 2 Facility 3	06/04/12	07/06/12	200
Geriatric Nursing	Facility 1	07/16/12	07/20/12	40
Maternity Nursing	Facility 4	08/20/12	08/24/12	40
Pediatric Nursing	Facility 4	09/24/12	09/28/12	40
Mental Health Nursing	Facility 5	10/15/12	10/19/12	40

**THE BOARD'S INVESTIGATION**

12. Board Staff and Board Investigator 1 contacted the five clinical rotation sites cited in the Transcript and learned the following:

- a. On or about August 5, 2021, General Counsel for Facility 1 and Facility 2<sup>8</sup> notified the Board that they did not find any contracts with the LPN School that would have allowed the Respondent to have completed clinical rotations at those sites and stated that the facilities would not have hosted

<sup>8</sup> Facility 1 and Facility 2 are owned by the same parent company.

**PAULINE IRUNGU, LP52564/A00099755/MT0067167 - CHARGES**

clinical for surgical nursing.

- b. By letter dated September 8, 2021, the Administrator of Facility 3 notified the Board that they were unable to locate any school agreement with the LPN School for clinical rotations.
- c. On or about August 6, 2021, the Executive Director for Facility 4 notified the Board that Facility 4 does not offer obstetrics, gynecological, or pediatric care at its facility and that Facility 4 was a program for troubled teen parents which provided transitional housing, parenting classes, and food programs. The Executive Director stated that there are no nursing staff at Facility 4 and the facility does not provide any medical services.
- d. The Assistant Executive Director and Executive Director of Facility 5 notified Board Staff on August 5 and August 6, 2021 (respectively) that Facility 5 has never been affiliated with any nursing schools for clinical training and has never had any contracts with any schools for students to do clinical rotations.

**ATTEMPTED CONTACT WITH RESPONDENT**

13. On or about August 25, 2021, the Board issued to the Respondent, at her address of record with the Board, a summons to appear at the Board's offices for an interview with the Board's Investigator. The summons was delivered to the Respondent's address of record on August 28, 2021 at 1:49 p.m. The Respondent failed to appear at the Board or contact the Board in response to the summons.

**NOTICE OF POSSIBLE SANCTIONS**

If the Board finds that there are grounds for action pursuant to Md. Code Ann., Health Occ. § 8-316(a) (1), (20), (25), and/or (30); and/or, § 8-6A-10(a) (20) and/or (26), the Board may impose disciplinary sanctions against the Respondent's license and/or certificate(s), pursuant to COMAR 10.27.26, including reprimand, probation, suspension or revocation, and/or the imposition of a monetary penalty.

March 29, 2022  
Date

Karen E. B. Evans MSN, RN-BC  
The Executive Director's Signature  
Appears on the Original Document



# Board of Nursing

Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Dennis R. Schrader, Secretary

April 27, 2022

**VIA REGULAR AND CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

The Respondent's Address Appears  
On the Original Document

**RE: ORDER CONTINUING SUMMARY SUSPENSION OF LICENSED PRACTICAL  
NURSE LICENSE  
Pauline Irungu, LP52564**

Dear Ms. Irungu

Enclosed is an "Order Continuing Summary Suspension of Licensed Practical Nurse License Pursuant to Section 10-226(c)(2) of the Administrative Procedure Act" ("Order") issued by the Maryland Board of Nursing (the "Board") in the above-referenced case. Your license to practice as a licensed practical nurse in the State of Maryland remains summarily suspended at this time.

You have the opportunity to request an evidentiary hearing before the Board on the merits of the summary suspension. The evidentiary hearing before the Board will be conducted in accordance with the Maryland Administrative Procedure Act ("APA"), Annotated Code of Maryland, State Government Article ("State Gov't") §§ 10-101 *et seq.* (2014 Repl. Vol.). Pursuant to State Gov't § 10-208 of the APA, you will have the right to be represented by an attorney, subpoena evidence and witnesses, call witnesses and submit documents or other evidence, cross-examine witnesses called against you, and present summation and argument.

**TO REQUEST AN EVIDENTIARY HEARING:**

If you wish to schedule an evidentiary hearing on the merits of the summary suspension, please submit a written request for a hearing to the Board within 30 days of the date of the enclosed Order, by mail or fax, to:

Attn: Amber Havens Bernal  
Enforcement Division – Discipline Dept.  
Maryland Board of Nursing  
4140 Patterson Avenue  
Baltimore, Maryland 21215  
FAX: (410) 358-1499; EMAIL: [mbon.nursingdiscipline@maryland.gov](mailto:mbon.nursingdiscipline@maryland.gov)

A Request for Hearing form is enclosed for your convenience.

4140 Patterson Avenue - Baltimore, Maryland 21215-2254  
Toll Free: 1 (888) 202 - 9861 • Phone: (410) 585 - 1900 • TTY/TDD: 1 (800) 735 - 2258  
Fax: (410) 358 - 3530  
[www.mbon.maryland.gov](http://www.mbon.maryland.gov)



**Pauline Irungu, LP52564**  
**Order Continuing Summary Suspension**

If you submit a written request for an evidentiary hearing, the Board may schedule a case resolution conference to provide an opportunity to resolve this case without proceeding to a formal evidentiary hearing. Your attendance at the case resolution conference, if scheduled, is voluntary, and your decision not to attend the case resolution conference will not influence the Board in deciding what, if any, action to take in your case. If you choose not to attend the case resolution conference, the Board will schedule an evidentiary hearing on the merits of the summary suspension of your license.

The Board will notify you in writing, at your address last known to the Board, of the date, time, and location of the evidentiary hearing.

**IF YOU DO NOT REQUEST A HEARING:**

If you do not request an evidentiary hearing in writing within 30 days of the date of the enclosed Order, you will have waived your opportunity for an evidentiary hearing on the merits of the summary suspension. Pursuant to its authority under the APA, State Gov't §§ 10-210(4) and 10-221, the Board may, in its discretion, issue a **public** Final Decision and Order by default, in which (1) the investigative findings and reasons in support of summary suspension in the Order for Summary Suspension become findings of fact and (2) the summary suspension of your license is affirmed and shall be continued until further order of the Board.

Any decision made by the Board could affect your license to practice as a licensed practical nurse in the State of Maryland. Any Final Decision and Order issued by the Board will be a **public document** and **cannot be expunged**. Therefore, you are strongly advised to retain and be represented by an attorney in any proceeding before the Board. To appear on your behalf, your attorney must be admitted to the Bar in Maryland or specifically admitted pursuant to Maryland Rule 19-217 which governs special admission of out-of-state attorneys *pro hac vice*.

If you or your attorney have any questions about this letter or the enclosed Order, or wish to review the Board file regarding this case, please contact the Administrative Prosecutor assigned to your case, Tracy Bull, AAG, at 410-767-8993 or [tracy.bull@maryland.gov](mailto:tracy.bull@maryland.gov), or Amber Havens Bernal, Enforcement Division – Discipline Department, at [amber.havens@maryland.gov](mailto:amber.havens@maryland.gov).

Karen E. B. Evans MSN, RN-BC  
The Executive Director's Signature  
Appears on the Original Document

Enclosures: Order Continuing Summary Suspension of LPN  
Request for Hearing form

cc: Tracy Bull, Assistant Attorney General, Administrative Prosecutor

IN THE MATTER OF

\*

BEFORE THE MARYLAND

\*

PAULINE IRUNGU

\*

BOARD OF NURSING

\*

LICENSE NO.: LP52564

\*

OAG CASE NO. 22 - BP - 005

\*

\* \* \* \* \*

**ORDER CONTINUING SUMMARY SUSPENSION OF  
LICENSED PRACTICAL NURSE LICENSE**

On March 29, 2022, the Maryland Board of Nursing (“the Board”) issued an “Order for Summary Suspension of Licensed Practical Nurse License and Multistate Licensure Privilege to Practice Registered Nursing in the State of Maryland Pursuant to Section 10-226(c)(2) of the Administrative Procedure Act” to PAULINE IRUNGU, License Number LP52564, (“the Respondent”). On April 27, 2022, the Board held a Show Cause Hearing to give the Respondent an opportunity to present argument as to why the Board should not continue the summary suspension of the Respondent’s license. The Respondent failed to appear at the Show Cause Hearing. The Administrative Prosecutor was present at the Show Cause Hearing on behalf of the State. After considering the oral argument(s) presented at the Show Cause Hearing, the Board decided to continue the summary suspension of the Respondent’s license to practice as licensed practical nurse to practice in the State of Maryland.

**CONCLUSIONS OF LAW**

The Board concludes that the public health, safety, or welfare imperatively requires continued emergency action in this case under Md. Code Ann., State Gov’t § 10-226(c)(2) (2014).

**ORDER**

Based on the foregoing, it is hereby:

**ORDERED** that the **SUMMARY SUSPENSION** of the Respondent’s license to practice as a Licensed Practical Nurse in the State of Maryland is **CONTINUED** until further Order of the Board in this case; and it is further

**Pauline Irungu, LP52564**

**Order Continuing Summary Suspension of Licensed Practical Nurse License**

**ORDERED** that an evidentiary hearing on the merits of the Order for Summary Suspension will be scheduled before the Board of Nursing if the Respondent submits a written request to the Board no later than thirty (30) days from the date of this Order; and it is further

**ORDERED** that if the Respondent does not submit a timely written request to the Board for an evidentiary hearing within thirty (30) days of the date of this Order, the Respondent shall have waived all rights now and in the future to an evidentiary hearing; and it is further

**ORDERED** that this Order Continuing Summary Suspension is a **PUBLIC RECORD** pursuant to Maryland Code Ann., General Provisions §§ 4-101 *et seq.* (2014).

April 27, 2022  
Date

Karen E. B. Evans MSN, RN-BC  
The Executive Director's Signature  
Appears on the Original Document